

**REMARKS**

In the final Office Action, Examiner rejects claims 1-19, 21, 23-27, and 30-33 under 35 U.S.C. § 103(a) based on U.S. Patent No. 6,961,731 to Holbrook (“Holbrook”) in view of U.S. Patent No. 7,206,780 to Slackman (“Slackman”). The rejection is respectfully traversed.<sup>1</sup>

By this Amendment, Applicants propose amending claims 1, 4-8, 10-14, 17, 18, 21, 23-27, 30, 32, and 33 to improve form, canceling claims 2, 3, 9, 15, 16, and 31 without prejudice or disclaimer, and adding new claims 34-44. No new matter is introduced. Claims 1, 4-8, 10-14, 17, 18, 21, 23-27, 30, 32, and 33-44 will be pending upon entry of this Amendment.

Pending claims 1, 4-8, 10-14, 17, 18, 21, 23-27, 30, 32, and 33 stand rejected under 35 U.S.C. § 103(a) based on Holbrook and Slackman. For at least the following reasons, the rejection is traversed.

Amended claim 1 is directed to a method comprising receiving a search query; performing a search, in response to the search query, on a database including a plurality of document categories to obtain a list of search results corresponding to each of the document categories; ranking the document categories relative to one another based on a content of documents in each of the lists of search results; and generating a document in which the list of search results corresponding to each of at least two of the document categories are presented in sections by category based on the ranking of the at least two

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<sup>1</sup> As Applicants' remarks with respect to the Examiner's rejections overcome the rejections, Applicants' silence as to certain assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions

of the document categories, where a first section of the generated document corresponding to a higher ranking one of the at least two of the document categories is more prominently presented within the generated document than a second section of the generated document corresponding to a lower ranking one of the at least two of the document categories. This combination of features is not disclosed or suggested by Holbrook and Slackman, whether taken alone, or in any reasonable combination.

Neither Holbrook nor Slackman discloses or suggests, for example, generating a document in which the list of search results corresponding to each of at least two of the document categories are presented in sections by category based on the ranking of the at least two of the document categories relative to one another based on a content of documents in each of the lists of search results, where a first section of the generated document corresponding to a higher ranking one of the at least two of the document categories is more prominently presented within the generated document than a second section of the generated document corresponding to a lower ranking one of the at least two of the document categories, as required by amended claim 1. The Examiner points to Figs. 3, 7, and 9A; and col. 9, lines 2-6 of Holbrook and the Abstract; Figs. 2-4; col. 2, lines 26-34; col. 3, lines 11-20; and col. 4, lines 13-23 of Slackman as being particularly relevant to claim 1 (final Office Action, page 3). Applicants submit that none of the sections of Holbrook and Slackman cited by the Examiner, whether taken alone, or in any reasonable combination, disclose or suggest the above particularly recited features of amended claim 1.

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are accurate or that such requirements have been met, and Applicants reserve the right to dispute these assertions/requirements in the future.

Fig. 3 of Holbrook depicts search results that may be presented on a user's computer display in frames 301 and 302. Frame 301 includes the entire textual list of ranked matching web sites, in order, with hyperlinks to each web site and a textual list of category paths of the search results that matched the search query (i.e., "cars"). Each category path can include a hyperlink to all web sites (matching and not matching) having that path, e.g., the words of the category path can be such a hyperlink. A hyperlink to the matching web sites having that category path can be provided, such as a textual reference to the web sites or a numerical reference. Frame 302 displays the search results in a format that may include graphics, color, text, organization, location and other attributes used to display search results and can lead to or present additional information. An extended list of matching web sites for the selected search can be depicted in a single web page. Each such web site can be shown in the context of its parent category, e.g., web page 305 shown in frame 302, which is a "Website Search" results page, or an extended list of matching categories for the selected search can be depicted in a single page. (Holbrook, col. 9, line 41 to col. 10, line 28). Nowhere in connection with Fig. 3, or elsewhere, does Holbrook disclose or suggest generating a document in which the list of search results corresponding to each of at least two of the document categories are presented in sections by category based on the ranking of the at least two of the document categories relative to one another based on a content of documents in each of the lists of search results, as recited in amended claim 1. Thus, Holbrook also cannot disclose a first section of the generated document corresponding to a higher ranking one of the at least two of the document categories that is more prominently presented within the generated document than a second section of the generated document corresponding to a lower

ranking one of the at least two of the document categories, as further recited in amended claim 1.

Fig. 7 of Holbrook depicts a web page 701 that shows a textual listing of the previously depicted matching web site(s) for "AUCTIONS" (web site # 33) and the additional matching web sites. The textual listing of each web site can include a description of and a hyperlink to each web site. Web page 701 can be downloaded directly to the user's browser 102 (Fig. 1), such as to frame 302 (Fig. 3), from the search engine 108. (Holbrook, col. 12, line 54-62). Nowhere in connection with Fig. 7, or elsewhere, does Holbrook disclose or suggest generating a document in which the list of search results corresponding to each of at least two of the document categories are presented in sections by category based on the ranking of the at least two of the document categories relative to one another based on a content of documents in each of the lists of search results, as recited in amended claim 1. Thus, Holbrook also cannot disclose a first section of the generated document corresponding to a higher ranking one of the at least two of the document categories that is more prominently presented within the generated document than a second section of the generated document corresponding to a lower ranking one of the at least two of the document categories, as further recited in amended claim 1.

Fig. 9A of Holbrook depicts a web page 900 in primarily textual format in which the depicted matching web sites are grouped together by their respective first level subcategories, and respective subcategory names 503 appear at the top of each grouping, e.g., "SPORTS: AUTO RACING," "VEHICLES," "AUCTIONS." Each matching web site is indicated by the site's rank number 901 and the web sites in each subcategory

group are listed sequentially in numerical rank order. A hyperlink 902 to the web site and a description 903 of the site is also included. The user can move back and forth between different formats, e.g., between graphical and textual formats of the same search results, such as between web pages 501 and 900. For example, each primarily graphical page, such as web page 501 of Fig. 5 can include a mechanism, such as the "TEXT" button, or icon, 407, that the user can select to view the search results in a primarily textual format, such as web page 900 of Fig. 9A. Clicking on "TEXT" icon 407 of web page 501 in Fig. 5 can result in the downloading and subsequent display of web page 900 of Fig. 9A. The reverse can occur by the user selecting the "GRAPHICS" button, or icon, 906 shown on web page 900. Clicking on the "GRAPHICS" icon 906 will cause the same search results to be shown in a graphical format, such as web page 501 of Fig. 5. (Holbrook, col. 15, line 40 to col. 16, line 10). Nowhere in connection with Fig. 9A, or elsewhere, does Holbrook disclose or suggest generating a document in which the list of search results corresponding to each of at least two of the document categories are presented in sections by category based on the ranking of the at least two of the document categories relative to one another based on a content of documents in each of the lists of search results, as recited in amended claim 1. In fact, Holbrook does not disclose anything that can reasonably be equated to the ranking of document categories relative to one another. In contrast, Holbrook discloses that each matching web site is indicated by the web site's rank number and the web sites in each subcategory group are listed sequentially in numerical rank order.

Because Holbrook fails to disclose or suggest generating a document in which the list of search results corresponding to each of at least two of the document categories are

presented in sections by category based on the ranking of the at least two of the document categories relative to one another based on a content of documents in each of the lists of search results, Holbrook also cannot disclose that a first section of the generated document corresponding to a higher ranking one of the at least two of the document categories is more prominently presented within the generated document than a second section of the generated document corresponding to a lower ranking one of the at least two of the document categories, as further recited in amended claim 1.

Column 9, lines 2-6 of Holbrook discloses:

For example, the window 202 in this particular embodiment shows two textual alternatives from which the user selects, either the first numerically ranked matching "1-50 sites", "1-100 sites" (not shown) or "all" (not shown), per search to be displayed.

This section of Holbrook merely describes an interface in which a user may choose the number of search results to be displayed from a drop-down menu, i.e., either the first 50 or the first 100 web sites matching a search query. Nowhere in this section, or elsewhere, does Holbrook disclose or suggest generating a document in which the list of search results corresponding to each of at least two of the document categories are presented in sections by category based on the ranking of the at least two of the document categories relative to one another based on a content of documents in each of the lists of search results, as recited in amended claim 1. In fact, Holbrook does not disclose anything that can reasonably be equated to the ranking of document categories relative to one another. In contrast, Holbrook simply discloses presenting a user with the option to select the number of search results for display.

Because Holbrook fails to disclose or suggest generating a document in which the list of search results corresponding to each of at least two of the document categories are presented in sections by category based on the ranking of the at least two of the document categories relative to one another based on a content of documents in each of the lists of search results, Holbrook also cannot disclose a first section of the generated document corresponding to a higher ranking one of the at least two of the document categories that is more prominently presented within the generated document than a second section of the generated document corresponding to a lower ranking one of the at least two of the document categories, as further recited in amended claim 1.

The Abstract of Slackman discloses:

A ranked list of search results is received from a search engine based on a search query. A relevance value of a particular search result in the ranked list is estimated based on its rank and actual relevance values and ranks of at least two others of the search results.

This section of Slackman discloses that a relevance value of a particular search result in a ranked list of search results, received from a search engine based on a search query, is estimated based on its rank and actual relevance values and ranks of at least two others of the search results. Nowhere in this section, or elsewhere, does Slackman disclose or suggest generating a document in which the list of search results corresponding to each of at least two of the document categories are presented in sections by category based on the ranking of the at least two of the document categories relative to one another based on a content of documents in each of the lists of search results, as recited in amended claim 1. In fact, Slackman does not disclose anything that can reasonably be equated to the ranking of document categories relative to one another. Thus, Slackman also cannot

disclose a first section of the generated document corresponding to a higher ranking one of the at least two of the document categories that is more prominently presented within the generated document than a second section of the generated document corresponding to a lower ranking one of the at least two of the document categories, as further recited in amended claim 1.

Figs. 2 and 3 of Slackman depict a method of merging search results lists returned from multiple search engines. In connection with Figs. 2 and 3, col. 2, lines 26-34 of Slackman disclose:

As indicated by block 52, the method comprises receiving a ranked list of search results from each search engine based on the search query 12. For each list, each search result therein is ranked based on its relevance value to the search query 12. The ranks of the search results in a list may be indicated by listing the search results in descending order of relevance, for example. In another example, the ranks of the search results in a list may be explicitly indicated by a rank value, in which case the ordering of the search results in the list may or may not be relevance-based.

This section of Slackman discloses method step 52 in which a ranked list of search results is received from each search engine based on a search query 12, and for each list, each search result is ranked based on its relevance value to the search query 12. The ranks of the search results in a list may be indicated by listing the search results in descending order of relevance, or the ranks may be explicitly indicated by a rank value, in which case the ordering of the search results in the list may or may not be relevance-based. Nowhere in this section, in connection with Figs. 3 and 4, or elsewhere, does Slackman disclose or suggest generating a document in which the list of search results corresponding to each of at least two of the document categories are presented in sections by category based on the ranking of the at least two of the document categories relative to one another based on a



content of documents in each of the lists of search results, as recited in amended claim 1. Thus, Slackman also cannot disclose a first section of the generated document corresponding to a higher ranking one of the at least two of the document categories that is more prominently presented within the generated document than a second section of the generated document corresponding to a lower ranking one of the at least two of the document categories, as further recited in amended claim 1.

Column 3, lines 11-20 of Slackman discloses:

Referring back to FIG. 2, the method comprises estimating a relevance value for at least one of the search results absent an actual relevance value, as indicated by block 78. In some embodiments, a relevance value is estimated for each of the search results absent an actual relevance value. The relevance value is estimated based on the rank of its search result in the list, and the ranks and actual relevance values of at least two others of the search results. The relevance value may be estimated using either curve fitting, interpolation or extrapolation.

This section of Slackman discloses method step 78 in which a relevance value for at least one of the search results absent an actual relevance value is estimated based on the rank of its search result in the list, and the ranks and actual relevance values of at least two others of the search results, e.g., using either curve fitting, interpolation or extrapolation. Nowhere in this section, or elsewhere, does Slackman disclose or suggest generating a document in which the list of search results corresponding to each of at least two of the document categories are presented in sections by category based on the ranking of the at least two of the document categories relative to one another based on a content of documents in each of the lists of search results, as recited in amended claim 1. Thus, Slackman also cannot disclose a first section of the generated document corresponding to a higher ranking one of the at least two of the document categories that is more

prominently presented within the generated document than a second section of the generated document corresponding to a lower ranking one of the at least two of the document categories, as further recited in amended claim 1.

Column 4, lines 13-23 of Slackman discloses:

It is noted that as an option, the computer 10 can determine actual relevance values for all unknown relevance values in a list. However, since the measure of relevance employed by the computer 10 may differ from the measure of relevance employed by the search engine 26, this approach may result in a contradiction between the ranks and the relevance values (i.e. in comparison to one search result, another better-ranked search result may have a lower relevance value). The use of linear interpolation based on the most relevant and least relevant search results in the list mitigates the likelihood of the contradiction.

This section of Slackman discloses that computer 10 can determine actual relevance values for all unknown relevance values in a list, which may result in a contradiction between the ranks and the relevance values (i.e., in comparison to one search result, another better-ranked search result may have a lower relevance value) since the measure of relevance employed by the computer 10 may differ from the measure of relevance employed by the search engine 26. The likelihood of the contradiction may be mitigated by using linear interpolation based on the most relevant and least relevant search results in the list. Nowhere in this section, or elsewhere, does Slackman disclose or suggest generating a document in which the list of search results corresponding to each of at least two of the document categories are presented in sections by category based on the ranking of the at least two of the document categories relative to one another based on a content of documents in each of the lists of search results, as recited in amended claim 1. Thus, Slackman also cannot disclose a first section of the generated document corresponding to a higher ranking one of the at least two of the document categories that

is more prominently presented within the generated document than a second section of the generated document corresponding to a lower ranking one of the at least two of the document categories, as further recited in amended claim 1.

Fig. 4 of Slackman depicts a method of determining a search engine weighting value, which includes determining one or more categories associated with the search query 12 (step 120); determining an absolute relevance value of each category based on the search query 12 and query terms associated with the category (step 122); determining a relative relevance value for each category by dividing its absolute relevance value by a sum of all absolute relevance values (step 124); determining category search engine weighting factors for each of the one or more categories (step 126); and determining the search engine weighting value based on a sum, over the categories, of each product of its associated category search engine weighting value and its relative relevance value (step 130). (Slackman, col. 5, line 18 to col. 6, line 4). Nowhere in this section, in connection with Fig. 4, or elsewhere, does Slackman disclose or suggest generating a document in which the list of search results corresponding to each of at least two of the document categories are presented in sections by category based on the ranking of the at least two of the document categories relative to one another based on a content of documents in each of the lists of search results, as recited in amended claim 1. Thus, Slackman also cannot disclose a first section of the generated document corresponding to a higher ranking one of the at least two of the document categories that is more prominently presented within the generated document than a second section of the generated document corresponding to a lower ranking one of the at least two of the document categories, as further recited in amended claim 1.

For at least these reasons, Holbrook and Slackman, whether taken alone, or in any reasonable combination, fails to disclose each of the features of amended claim 1.

Claims 4-8, 10-13, and 32 depend from claim 1 and are, therefore, patentable over Holbrook and Slackman, whether taken alone, or in any reasonable combination, for at least the reasons given for claim 1.

Amended independent claims 14, 21, and 30 recite features similar to, yet possibly of different scope than, the features recited in claim 1 and are, therefore, patentable over Holbrook and Slackman, whether taken alone, or in any reasonable combination, for at least reasons similar to the reasons given for claim 1.

Claims 17, 18, 23-27, and 33 variously depend from claims 14, 21, and 30 and are, therefore, patentable over Holbrook and Slackman, whether taken alone, or in any reasonable combination, for at least the reasons given above for their respective base claims.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1, 4-8, 10-14, 17, 18, 21, 23-27, 30, 32, and 33 under 35 U.S.C. § 103(a) based on Holbrook and Slackman.

*New Claims*

New claims 34-44 variously depend from claims 1, 14, 21, and 30 and are, therefore, patentable over the applied art, whether taken alone, or in any reasonable combination, for at least the reasons given above for their respective base claims.

### CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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